

NATIONAL TRANSPORTATION SAFETY BOARD

OFFICE OF MARINE SAFETY

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Major Marine Accident      :
Interviews of Investigation:  :
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JAPANESE FISHERIES TRAINING VESSEL, :
  EHIME MARU                :
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  AND                        :
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U.S. NAVY NUCLEAR ATTACK SUBMARINE, :
  USS GREENEVILLE           :
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Saturday, February 17, 2001

**INTERVIEW OF LTJG MICHAEL J. COEN
[ACCOMPANIED BY LT MARCUS N. FULTON]**

INTERVIEWING PANEL:

National Transportation Safety Board

TOM ROTH-ROFFY, Accident Investigator
BILL WOODY
BARRY STRAUCH, Human Factor Specialist

United States Navy

CDR JOHN CACCIVIO, SUBPAC
LCDR RICH SANTOMAURO
LT DOUG HEDRICK, SUBPAC

United States Coast Guard

LCDR CRAIG PETERSON
LTJG KEN KUSANO
LT CHARLIE JOHNSON

[TRANSCRIPT PREPARED FROM A TAPE RECORDING.]

1 P R O C E E D I N G S

2 MR. ROTH-ROFFY: The time is now 1241. The
3 date is the 17th of February 2001, and we are here
4 interviewing Lieutenant Coen.

5 Good afternoon, Lieutenant Coen. My name is
6 Tom Roth-Roffy, and I am an investigator with the
7 National Transportation Safety Board. Several other
8 Safety Board investigators are here investigating the
9 accident that occurred between the USS Greeneville and
10 the fishing vessel, Ehime Maru, that occurred on
11 February 9, 2001.

12 For your information, the National
13 Transportation Safety Board is an independent Federal
14 Government agency responsible for investigating
15 transportation accidents in the United States. The
16 Safety Board's Office of Marine Safety is responsible
17 for investigating major marine accidents that occur on
18 the waterways of the United States.

19 The purpose of the Safety Board's
20 investigation is to determine the cause of an accident
21 and to make recommendations aimed at preventing the
22 reoccurrence of similar accidents. In our
23 investigations, we will make no effort to assign blame
24 for the accident, nor do we have any legal authority to

1 penalize any person involved in the accident. Our
2 investigation is strictly a safety investigation and
3 not a legal investigation.

4 If you desire, you may have another person
5 assist you during this interview. Would you like to
6 have somebody assist you with the interview at this
7 time?

8 LT FULTON: May I speak, sir?

9 MR. ROTH-ROFFY: Yes, go ahead.

10 LT FULTON: First of all, this is Lieutenant
11 Fulton. I am the detailed defense counsel for
12 Lieutenant Junior Grade Coen, and Lieutenant Coen has
13 asked that I be present for this.

14 MR. ROTH-ROFFY: Okay. Is that your wish,
15 Lieutenant Junior Grade Coen?

16 LTJG COEN: Yes, it is.

17 MR. ROTH-ROFFY: Also joining me in this
18 interview will be those seated here at the table. The
19 persons joining in the interviewing process are
20 representatives from the United States Coast Guard and
21 the United States Navy, and I would ask that each of
22 them introduce themselves at this time.

23 MR. WOODY: Good afternoon. I am Bill Woody
24 from the NTSB.

1 MR. STRAUCH: I am Barry Strauch. I am a
2 human factor specialist for the NTSB.

3 LT JOHNSON: Lieutenant Charlie Johnson,
4 United States Coast Guard.

5 LTJG KUSANO: Lieutenant JG Ken Kusano,
6 United States Coast Guard.

7 LCDR PETERSON: Lieutenant Commander Craig
8 Peterson, United States Coast Guard.

9 LCDR SANTOMAURO: Lieutenant Commander
10 Santomauro, United States Navy.

11 LT HEDRICK: Lieutenant Doug Hedrick, SUBPAC.

12 CDR CACCIVIO: Commander Caccivio from
13 SUBPAC.

14 MR. ROTH-ROFFY: To begin our interview
15 process, what I would like you to do is give us a
16 narrative of your activities beginning from the time
17 you reported aboard the sub in the morning until the
18 period of time after the collision, maybe an hour or
19 so, depending on what your activities were. We will
20 just let you know when we have heard enough.

21 So, if you would now, please, just think back
22 to Friday morning, February 9th, and try to remember
23 what you were doing. Try to visualize, if you can, and
24 then give us a narrative of your activities, what you

1 did, what you saw, what you heard, what you may have
2 told people, or people may have told you. So, again,
3 in as much detail as possible, and we are going to let
4 you go from start to finish without interruptions.

5 So, if you are ready, go ahead and start
6 that.

7 LT FULTON: Sir, Lieutenant Coen -- I have
8 advised Lieutenant Coen not to make any statements at
9 this time, and it is my understanding Lieutenant Coen
10 is at this time going to follow that advice and not
11 make any statement.

12 MR. ROTH-ROFFY: Okay. Is it your
13 advisement, Lieutenant Fulton that he not respond to
14 any questioning?

15 LT FULTON: Yes, sir.

16 MR. ROTH-ROFFY: Okay. Go ahead, Bill.

17 MR. WOODY: Mr. Coen, could I get your
18 complete name for the record? I see you have your
19 initials, M.J. Would you start with what the M stands
20 for?

21 LTJG COEN: Michael John Coen.

22 MR. WOODY: These are some more personal
23 questions we always ask witnesses. I thought if I did
24 get it out of the way first instead of last, it might

1 break the ice and give you some feeling of confidence,
2 but --

3 LT FULTON: To be honest with you, sir, I am
4 fairly firm in my advice to Lieutenant Coen, and I am
5 quite certain he is firm in his decisions as well. To
6 avoid wasting the Board's time and any further delay to
7 you guys, I would just prefer to end the questioning at
8 this point.

9 MR. ROTH-ROFFY: Okay. Does anybody at the
10 interviewing table have any comments to the current
11 turn of events?

12 PANEL MEMBER: I have a question.

13 LT FULTON: Is this a question of me or of
14 Lieutenant Coen?

15 PANEL MEMBER: Lieutenant Coen. He could
16 confer with you, but I would like to hear it from him.

17 LT FULTON: Okay.

18 PANEL MEMBER: What are your grounds for
19 declining to answer our questions?

20 LT FULTON: Sir, this is Lieutenant Fulton.

21 Our grounds are that he is under no
22 obligation to make any statement to anybody at this
23 time, and in light of the investigations that the Navy
24 is doing, I understand that there has been a

1 preliminary inquiry either recently concluded or about
2 to conclude. Because the ramifications of that inquiry
3 are going to be unknown to us, I have advised him not
4 to make any statement, and that is his right under the
5 UCMJ Article 31(b).

6 PANEL MEMBER: I am not familiar with the
7 UCMJ. Could you just describe what that article you
8 just quoted --

9 LT FULTON: Rather than characterize it, I
10 will just have to refer to it.

11 PANEL MEMBER: Okay.

12 MR. ROTH-ROFFY: I have the same question for
13 Lieutenant Fulton.

14 Sir, if I might get your complete name and
15 your telephone number for the record.

16 LT FULTON: Yes, sir. Marcus Fulton,
17 F-u-l-t-o-n.

18 MR. ROTH-ROFFY: Middle initial?

19 LT FULTON: N.

20 MR. ROTH-ROFFY: N. Telephone number;
21 business phone, that is?

22 LT FULTON: 473 --

23 MR. ROTH-ROFFY: 473.

24 LT FULTON: -- 5982.

1 MR. ROTH-ROFFY: -- 5982.

2 LT FULTON: Extension 319.

3 MR. ROTH-ROFFY: Let's see. 473-5982. Is
4 there an area code?

5 LT FULTON: It is 808.

6 MR. ROTH-ROFFY: 808.

7 You are stationed here in the San Diego area?

8 LT FULTON: In the Pearl Harbor area.

9 MR. ROTH-ROFFY: Pearl Harbor area. Sorry.

10 PANEL MEMBER: Just one question more. Is it
11 your question not to speak to the Safety Board at any
12 time, or is it just a temporary delay in wanting to
13 talk to us? What is your estimation?

14 LT FULTON: Sir, I never say never.

15 MR. ROTH-ROFFY: Can you just state who you
16 are again?

17 LT FULTON: I apologize. Lieutenant Fulton
18 again.

19 I am not permanently foreclosing that
20 possibility ever, and I am not permanently foreclosing
21 the possibility that we could provide some documents I
22 know have been requested specifically, some fitness
23 reports.

24 We are still quite early in our

1 attorney-client stage here. Since we do not know very
2 much about what the Navy is doing, at this point I am
3 just not in a position to say how forthcoming we are
4 going to be able to be in the future. So I am not
5 ruling anything out at this point, but as of this
6 weekend, I am quite certain.

7 MR. ROTH-ROFFY: Okay. I would just like to
8 add that, once again, the Safety Board is doing a
9 safety investigation of the accident, and it is in the
10 benefit of the United States and the people of the
11 United States that we try to resolve and understand how
12 this accident happened. If there are some issues that
13 should be brought to light without pointing a finger at
14 any particular person on board the Greeneville, it is
15 in our interest to try to uncover those and to work
16 towards making recommendations that may prevent
17 accidents like this from happening in the future.

18 So I would like to encourage you directly,
19 Lieutenant Coen, that you strongly consider speaking to
20 us because getting the information out would be very
21 helpful to us to understand how the accident happened
22 and help us in making our recommendations.

23 LT FULTON: Lieutenant Fulton again.

24 Sir, I know that Lieutenant Coen is very

1 sympathetic to that, and this is certainly, I don't
2 mind telling the Board, my advice which is driving the
3 process at this point. I take the raf for that. I
4 know that Lieutenant Coen is anxious to see that as
5 soon as possible all the information that he has comes
6 out to -- frankly to everyone.

7 I apologize that that is my advice to him at
8 this time. I have my own duties in connection with
9 this matter, and that is the foundation of the advice
10 that I am giving him.

11 MR. ROTH-ROFFY: Okay. Well, thank you very
12 much for coming down and --

13 CDR CACCIVIO: Could I ask a question?

14 MR. ROTH-ROFFY: Who said that?

15 CDR CACCIVIO: I did.

16 MR. ROTH-ROFFY: Go ahead. I'm sorry.

17 CDR CACCIVIO: I will direct this question at
18 both the lawyer and Mr. Coen.

19 This is Commander Caccivio.

20 I realize there is a whole incident that
21 occurred here. I understand your unwillingness to
22 discuss that incident. Would you be willing to answer
23 a couple of quick questions specific to Lieutenant Coen
24 that are not related to the incident? And I will tell

1 you what those are. Obviously, I could go research
2 this information. I am really asking you to help me
3 save a little time.

4 I am curious if I could find out when -- how
5 long he has been on the Greeneville and when he
6 qualified Officer of the Deck.

7 LT FULTON: Sir, I know that the Board did
8 submit some questions in writing to us. We would be
9 willing to consider all questions in writing, even more
10 personal data-type questions. I think that submitting
11 them in writing so that we have a chance to decide what
12 we are in a position to answer and not answer at any
13 given time would be our preferred way of handling that.

14 CDR CACCIVIO: Okay.

15 LT FULTON: That would be the request that I
16 would make for any further questions.

17 CDR CACCIVIO: This is Commander Caccivio
18 again.

19 Does Lieutenant Coen have a bio? It is very
20 reasonable he wouldn't. Typically, most COX's and COBs
21 are the only guys who have them.

22 LT FULTON: Right. Yes, sir. Lieutenant
23 Fulton again.

24 I mean, in the sense of having something

1 prepared, a statement describing his life heretofore, I
2 am not aware of any.

3 CDR CACCIVIO: Okay. So do I understand
4 correctly that we -- did you receive a list of
5 questions from us?

6 LT FULTON: Yes, sir, we did, this morning.

7 CDR CACCIVIO: So is it your intention to
8 review those questions and provide written responses to
9 the Board to the questions you desire?

10 LT FULTON: Yes, sir. I have got to say that
11 the nature of the questions that we received, I don't
12 think we are going to answer those this weekend. Feel
13 free to -- let me give my fax --

14 CDR CACCIVIO: So if I give you questions
15 that are probably less related to the incident, then
16 what you are saying is you would be willing to consider
17 those?

18 LT FULTON: We will consider all questions.
19 Yes, sir.

20 CDR CACCIVIO: Okay. That is all I have.

21 MR. ROTH-ROFFY: Anybody have any other
22 questions or comments?

23 MR. STRAUCH: This is Barry Strauch.

24 Do you have a business card that we could

1 reach you?

2 LT FULTON: No, sir, but I would be happy to
3 give my phone number again.

4 MR. STRAUCH: We can go off the record for
5 this. In fact, I would prefer to go off the record for
6 this.

7 MR. ROTH-ROFFY: That concludes our interview
8 of Lieutenant JG Coen. The time is -- [audio break].

9 [End of interview of Lieutenant Junior Grade
10 Michael J. Coen.]